

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted With Initial Filing **OR** ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

Attorney Docket Number **5063 US**
First Named Inventor **Luz Montesclaros et al.**

COMPLETE IF KNOWN

Application Number **10/618,493**
Filing Date **July 11, 2003**
Art Unit **1632**
Examiner Name **To be assigned**

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHODS AND KITS FOR OBTAINING NUCLEIC ACID FROM
BIOLOGICAL SAMPLES**

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ Was filed on (MM/DD/YYYY) **07/11/2003** as United States Application Number or PCT International

Application Number **10/618,493** and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:



DECLARATION - Utility or Design Patent Application

Direct all correspondence to:



Practioners at Customer Number
OR

22896



22896

PATENT TRADEMARK OFFICE



Correspondence address below:



Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued hereon.

NAME OF SOLE OR FIRST INVENTOR:



A petition has been filed for this unsigned inventor.

Given Name
(first and middle [if any])

LUZ

Family Name
Or Surname

MONTESCLAROS

Inv ntors
Signature

Howarter

Date

11/24/03

Residence: City

Pittsburg

State

CA

Country

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Citizenship

Philippines

Mailing Address

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State

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Zip

94565

Country

US

NAME OF SECOND INVENTOR:



A petition has been filed for this unsigned inventor.

Given Name
(first and middle [if any])

I. LAWRENCE

Family Name
Or Surname

GREENFIELD

Inventor's
Signature

I. Lawrence Greenfield

Date

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Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB02A attached hereto.

[Page 2 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. 39924_1

Please type a plus sign (+) inside this box → ☐

DEC 12 2003

Approved for use through 10/31/2002. OMB 0651-0035
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | | |
|--|------------------------|-------------------------|------|
| POWER OF ATTORNEY OR AUTHORIZATION OF AGENT | Application Number | 10/618,493 | |
| | Filing Date | July 11, 2003 | |
| | First Named Inventor | Luz Montesclaros et al. | |
| | Group Art Unit | 1632 | |
| | Examiner Name | To be assigned | |
| | Attorney Docket Number | 5063 US | |
| | | Confirmation Number | 5407 |

I hereby appoint:

☒ Practitioners at Customer Number

22896

OR☐ Practitioner(s) named below:

22896

PATENT TRADEMARK OFFICE

| Name | Registration Number |
|------|---------------------|
| | |
| | |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.**OR**☐ Firm or
Individual Name

Address

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I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

Signature

Name

Scott R. Bortner, Senior Patent Attorney, Reg.# 34,298

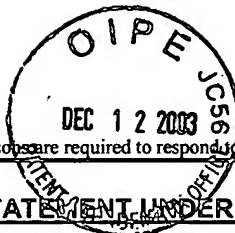
Date

December 9, 2003

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.*

☐ * Total of _____ forms are submitted.

Please type a plus sign (+) inside this box → ☐



PTO/SB/81 (10-00)

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Luz Montesclaros and I. Lawrence Greenfield

Application No./Patent No.: 10/618,493 Filed/Issue Date: July 11, 2003

Entitled: Methods and Kits for Obtaining Nucleic Acid From Biological Samples

Applera Corporation, a Corporation,
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was transmitted via facsimile to the U.S. Patent and Trademark Office on December 9, 2003, for which a copy is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Dec. 9, 2003
Date

Scott R. Bortner
Typed or printed name
[Signature]
Signature
Senior Patent Attorney
Title



LIMITED AUTHORIZATION TO ACT ON BEHALF OF ASSIGNEE
REGARDING CERTAIN PATENT AND TRADEMARK MATTERS EFFECTIVE
THROUGH: December 31, 2005

I, Paul D. Grossman, as Assistant Secretary of Applera Corporation ("Applera"), hereby authorize: Vincent M. Powers, Reg. No. 36, 246, Scott R. Bortner, Reg. No. 34,298, Jeffery D. Frazier, Reg. No. 34,601, and Andrew T. Karnakis, Reg. No. 27,909, all Senior Patent Attorneys, (1) to act on behalf of Applera, with regard to any matters before the United States Patent and Trademark Office, any foreign patent or trademark offices, and any international patent or trademark entities, (2) to execute power of attorney documents on behalf of Applera, to appoint and/ or establish any attorneys, agents, and/ or law firms to act on behalf of Applera, in any foreign or international patent or trademark applications filed with any foreign and/ or international patent or trademark offices, and (3) to execute assignment and ownership documents on behalf of Applera, with regard to any matters before the United States Patent and Trademark Office, any foreign patent or trademark offices, and any international patent or trademark offices.

Paul D. Grossman
Assistant Secretary, Applera Corporation

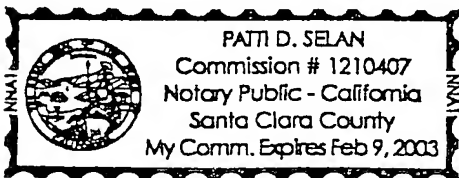
1-9-03

Date

State of California)
) ss.
County of San Mateo)

On Jan. 9, 2003 before me, Patti D. Selan, Notary Public, personally appeared Paul D. Grossman, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(~~ies~~), and that by his/~~her~~/their signature on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

WITNESS my hand and official seal.



Notary Public